

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ANTHONY PHILLIPS,

Plaintiff

v.

SUPERINTENDENT KERESTES, *et al.*,

Defendants

:
:
:
:
:
:
:
:
:
:

Civil No. 3:17-cv-1591

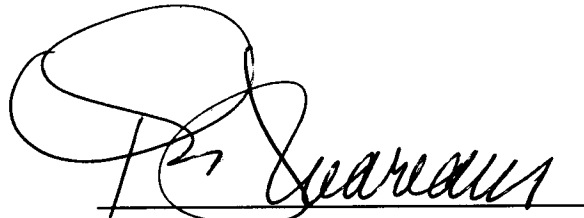
(Judge Mariani)

ORDER

AND NOW, this 20th day of August, 2019, upon consideration of Defendants' motion (Doc. 26) for summary judgment, and for the reasons set forth in the Court's

Memorandum of the same date, **IT IS HEREBY ORDERED THAT:**

1. The motion (Doc. 26) is **DENIED** with respect to the Eighth Amendment excessive force claim against Defendants Eugene Kabilko, Ryan Reese, and Damian Joy.
2. The motion (Doc. 26) is **GRANTED** as follows:
 - a. The motion is **GRANTED** with respect to Plaintiff's claim that Defendants Eugene Kabilko, Ryan Reese, and Damian Joy violated prison policies.
 - b. The motion is **GRANTED** with respect to the Eighth Amendment deliberate indifference claim, and the Americans with Disabilities Act claim against all Defendants.
 - c. The Clerk of Court is directed to **ENTER** judgment in favor of Defendants John Kerestes, Hugh Beggs, Kevin Clark, Charles Butts, Thomas Connors, James Murphy, and Joseph Holly. The Clerk of Court is directed to **TERMINATE** John Kerestes, Hugh Beggs, Kevin Clark, Charles Butts, Thomas Connors, James Murphy, and Joseph Holly as parties to this action.

A handwritten signature in black ink, appearing to read "R. Mariani", written over a horizontal line.

Robert D. Mariani
United States District Judge